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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

	Application Number	10/696,162	
	Filing Date	October 29, 2003	
	First Named Inventor	SINGH et al.	
	Art Unit	1633	
	Examiner Name	SAJJADI, Fereydoun Ghob	
Total Number of Pages in This Submission	3	Attorney Docket Number	IMG-00113.P.2.1-US

### ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	David R. Preston & Associates, APC		
Signature			
Printed name	David R. Preston		
Date	6/28/06	Reg. No.	38,710

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Reza Savaei	Date	6-28-06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FEE TRANSMITTAL  
For FY 2005**

Effective as of 08/08/2004.

Fees pursuant to the ~~2002~~ Appropriations Act, 2005 (H.R. 4818).

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$)  
**0.00**

**Complete if Known**

Application Number	10/696,162
Filing Date	October 29, 2003
First Named Inventor	SINGH et al.
Examiner Name	SAJJADI, Fereydoun Ghotb
Art Unit	1633
Attorney Docket No.	IMG-00113.P.2.1-US

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_  
 Deposit Account Deposit Account Number: 501321 Deposit Account Name: David R. Preston & Assoc.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

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**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<b>Application Type</b>	<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		
	<b>Fee (\$)</b>	<b>Small Entity</b>	<b>Fee (\$)</b>	<b>Small Entity</b>	<b>Fee (\$)</b>	<b>Small Entity</b>	<b>Fees Paid (\$)</b>
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES**

**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Small Entity</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>
- 20 or HP =	<u>3</u>	x	=	50	25	

HP = highest number of total claims paid for, if greater than 20.

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 3 or HP =	<u> </u>	x	=	200	100	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 =		/ 50 = (round up to a whole number) x		=

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 38,710	Telephone 858-724-0375
Name (Print/Type)	David R. Preston	Date <u>0-28-06</u>	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Patent**  
Attorney Docket No: IMG-00113.P.2.1-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
Sujay Singh )  
Application Number: 10/696,162 )  
Filed: October 29, 2003 )  
For: TRANSGENIC ANIMALS FOR USE )  
IN PROTEIN EXPRESSION AND )  
ANTIBODY PRODUCTION )  
\_\_\_\_\_  
Examiner: SAJJADI, Fereydoun Ghotb  
Group Art Unit: 1633

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the Office Action mailed May 30, 2006, Applicant respectfully submits the following election without traverse. This response is being filed within One (1) month of that mailing date, thus no fee is deemed necessary.

1. ELECTION

Applicant elects the invention of Group I. Applicant also chooses mammal as the specific organism for the elected Group I. This election is made without traverse.

The above-identified patent application has been examined for restriction purposes only. The Examiner has set forth the following groups:

Group I: Claims 1-12, drawn to a transgenic vertebrate whose genome comprises a bacteriophage RNA polymerase transgene.

Group II: Claims 13-29, drawn to a method of expressing a protein in a transgenic vertebrate whose genome comprises a bacteriophage RNA polymerase transgene and a protein product by said method.

Group III: Claims 31-45, drawn to a method to produce an antibody against an antigen in a transgenic vertebrate whose genome comprises a bacteriophage RNA polymerase transgene, comprising introducing an immunogenic construct into said transgenic vertebrate, and an antibody produced by said method.

Group IV: Claim 46, drawn to a method of producing a monoclonal antibody from the spleen cells of a transgenic vertebrate whose genome comprises a bacteriophage RNA polymerase transgene.

Group V: Claim 48, drawn to a method of isolating antibody from the egg of a transgenic vertebrate whose genome comprises a bacteriophage RNA polymerase transgene.

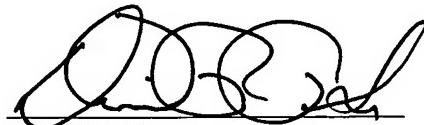
Group VI: Claims 47 and 49, drawn to a monoclonal antibody and polyclonal antibody.

In the Office Action, the Examiner has restricted the claims to 6 distinct and independent inventions. Applicant elects the invention of group I which includes claims 1-12 without traverse. Applicant also chooses mammal as the organism for the elected Group I.

Applicants respectfully submit that the claims are ready for examination and in condition for allowance.

Please apply any charges not covered, or any credits, to **Deposit Account Number 501321** in the name of David R. Preston & Associates, APC having **Customer Number 24232**.

Respectfully submitted,



David R. Preston  
Reg. No. 38,710

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